

1 UNITED STATES DISTRICT COURT
2 EASTERN DISTRICT OF WISCONSIN

3 ESTATE OF RUTH FREIWALD BY
4 PERSONAL REPRESENTATIVE
5 CHARLES FREIWALD, et al.,

6 Plaintiffs,

7 DEAN HEALTH PLAN, INC.
8 and PROGRESSIVE CASUALTY
9 INSURANCE COMPANY,

10 Involuntary Plaintiffs,

11 -vs-

Case No.: 18-CV-896

12 ADEYEMI FATOKI, M.D., et al.,

13 Defendants.

14 VIDEOTAPED
15 DEPOSITION OF: EMILY J. BLOZINSKI, LPN

16 DATE: July 2, 2019

17 TIME: 9:54 a.m. - 4:53 p.m.

18 LOCATION: BAY REPORTING SERVICE, INC.
19 414 South Jefferson Street
20 Green Bay, Wisconsin

21 REPORTED BY:
22 CARRIE S. BOHRER, RPR, RMR, CRR
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26 VIDEOGRAPHERS:
27 JOHN McMILLION
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EXHIBIT

15

<p>EMILY J. BLOZINSKI, LPN JULY 2, 2019</p> <p>1 Q And how long have you been employed with Correct 2 Care?</p> <p>3 A 2014.</p> <p>4 Q So since 2014 to today?</p> <p>5 A Correct.</p> <p>6 Q At any time did your employment stop for any 7 reason?</p> <p>8 A No.</p> <p>9 Q Can you describe what Correct Care Solutions is, 10 what type of company?</p> <p>11 A It's a company that is medical -- it's a medical 12 company that has contracts with different 13 facilities.</p> <p>14 Q Do you know if all the contracts that Correct 15 Care has are correctional facilities?</p> <p>16 A I do not know.</p> <p>17 Q Do you know if Correct Care Solutions is a 18 national company; in other words, it has 19 contracts with companies across the nation?</p> <p>20 MR. ROTH: Show my objection.</p> <p>21 Foundation. You can answer if you know.</p> <p>22 A I know they have contracts in different 23 facilities. I don't know where in the 24 United States.</p> <p>25 Q And you know that they have a contract --</p> <p style="text-align: right;">10</p> <p>920-432-5662 BAY REPORTING SERVICE, INC. 800-424-2224 414 S. Jefferson St., Green Bay, WI</p>	<p>EMILY J. BLOZINSKI, LPN JULY 2, 2019</p> <p>1 Correct Care Solutions has a contract with 2 Brown County Jail, correct?</p> <p>3 A Yes.</p> <p>4 Q And have you ever worked for any correctional 5 facility other than Brown County Jail while 6 you've been employed for Correct Care?</p> <p>7 A No.</p> <p>8 Q And is -- is Correct Care sometimes referred to 9 as CCS?</p> <p>10 A Yes.</p> <p>11 Q So if I use CCS today in the deposition, you'll 12 understand that to mean Correct Care?</p> <p>13 A Yes.</p> <p>14 Q So all of the lawsuits that you described that 15 you're aware of that are currently pending were 16 lawsuits in which you have been named based on 17 your employment with Correct Care while working 18 for Brown County Jail, correct?</p> <p>19 A Yes.</p> <p>20 Q Have you ever been a party to a lawsuit that 21 didn't relate to Correct Care or your employment?</p> <p>22 A No.</p> <p>23 Q Have you ever had a judgment entered against you 24 in any case?</p> <p>25 A No.</p> <p style="text-align: right;">11</p> <p>920-432-5662 BAY REPORTING SERVICE, INC. 800-424-2224 414 S. Jefferson St., Green Bay, WI</p>
<p>EMILY J. BLOZINSKI, LPN JULY 2, 2019</p> <p>1 Q And are you aware of any judgments entered 2 against Correct Care?</p> <p>3 A I don't know.</p> <p>4 Q Have you ever filed a claim or a grievance of 5 any type?</p> <p>6 A What do you mean?</p> <p>7 Q Have you ever been a claimant in an 8 administrative action or a lawsuit?</p> <p>9 A No.</p> <p>10 Q Are you part of a union?</p> <p>11 A No.</p> <p>12 Q Have you ever filed a complaint at work against 13 another employee or somebody who was working in 14 the same facility?</p> <p>15 A No.</p> <p>16 Q Have you ever filed anything that you would 17 consider a grievance of any kind?</p> <p>18 A On someone else?</p> <p>19 Q At all.</p> <p>20 A No.</p> <p>21 Q Have you ever given any testimony in court?</p> <p>22 A No.</p> <p>23 Q Are you taking any medications today?</p> <p>24 A No.</p> <p>25 Q Is there any reason why you might not have the</p> <p style="text-align: right;">12</p> <p>920-432-5662 BAY REPORTING SERVICE, INC. 800-424-2224 414 S. Jefferson St., Green Bay, WI</p>	<p>EMILY J. BLOZINSKI, LPN JULY 2, 2019</p> <p>1 ability to answer my questions or understand 2 what I'm asking?</p> <p>3 A No.</p> <p>4 Q Have you ever been prescribed any medication for 5 anxiety?</p> <p>6 MR. ROTH: Show my objection to 7 relevance. You can answer.</p> <p>8 A No.</p> <p>9 Q Have you ever been prescribed any medication for 10 depression?</p> <p>11 MR. ROTH: Same objection.</p> <p>12 A Yes.</p> <p>13 Q What about for posttraumatic stress disorder?</p> <p>14 A No.</p> <p>15 Q What about for panic attacks?</p> <p>16 A No.</p> <p>17 Q What about for OCD?</p> <p>18 A No.</p> <p>19 Q And have you been prescribed medication for any 20 other mental health issue that I have not 21 mentioned?</p> <p>22 A No.</p> <p>23 Q What medications were you prescribed for 24 depression?</p> <p>25 MR. ROTH: Show my objection. I'm</p> <p style="text-align: right;">13</p> <p>920-432-5662 BAY REPORTING SERVICE, INC. 800-424-2224 414 S. Jefferson St., Green Bay, WI</p>

<p>EMILY J. BLOZINSKI, LPN JULY 2, 2019</p> <p>1 Q So everybody in HSU could do it in their own 2 manner?</p> <p>3 A Either writing it on the booking sheet or writing 4 a nurse's note.</p> <p>5 Q But there was no consistency in terms of 6 conveying the information gleaned from the 7 pharmacy?</p> <p>8 A I do not recall a form.</p> <p>9 Q If the medications here were presented to 10 Dr. Fatoki by Nurse Jones, does that mean that 11 the medications were verified by the pharmacy 12 prior to that conversation with the doctor?</p> <p>13 MR. ROTH: Objection. Calls for 14 speculation. Foundation. You can answer.</p> <p>15 A This form would be the medications that were 16 brought in by the patient, patient with 17 medications.</p> <p>18 Q So this form has nothing to do with whether or 19 not these medications were verified?</p> <p>20 A Correct.</p> <p>21 Q And so we just don't know from this form, at 22 least, whether or not the medications were 23 verified before Dr. Fatoki was made aware of 24 these, correct?</p> <p>25 A From this form, no.</p> <p style="text-align: right;">166</p> <p>920-432-5662 BAY REPORTING SERVICE, INC. 800-424-2224 414 S. Jefferson St., Green Bay, WI</p>	<p>EMILY J. BLOZINSKI, LPN JULY 2, 2019</p> <p>1 Q And you're unaware of any other form that we 2 could look to to determine that information?</p> <p>3 A For 2016, I don't recall a specific pharmacy 4 verification form, no.</p> <p>5 Q Do you know if the outside physician who 6 prescribed these medications was ever contacted?</p> <p>7 A Not to my knowledge.</p> <p>8 MS. SCHNEIDER: Objection to the form 9 of the question.</p> <p>10 A Not to my knowledge.</p> <p>11 Q And is there any document that we could look to 12 to see if an outside physician or psychiatrist 13 had been contacted?</p> <p>14 A It would be in the patient's file, electric 15 MAR -- or electric patient file. Sorry.</p> <p>16 Q So the ERMA?</p> <p>17 A Yes, the ERMA.</p> <p>18 Q So if someone had contacted the outside provider, 19 you would expect that interaction to be reflected 20 in the ERMA system in 2016?</p> <p>21 A Yes.</p> <p>22 MS. AUERBACH: Let's mark this as 23 Exhibit 26. Sorry. 27. 24 (Exhibit 27 marked for identification.) 25 MS. AUERBACH: For the record, this</p> <p style="text-align: right;">167</p> <p>920-432-5662 BAY REPORTING SERVICE, INC. 800-424-2224 414 S. Jefferson St., Green Bay, WI</p>
<p>EMILY J. BLOZINSKI, LPN JULY 2, 2019</p> <p>1 bears Bates Number Brown County Sheriff 2 Department 40.</p> <p>3 Q Do you recognize this document?</p> <p>4 A Yes. It's a medical slip that a patient can 5 send to HSU.</p> <p>6 Q How does a patient get ahold of a medical slip, 7 if you know? Or an inmate. How does an inmate 8 get ahold of one of these?</p> <p>9 A I don't know where they're housed at each 10 facility. They could ask the officer.</p> <p>11 Q So you don't know how Ms. Freiwald got ahold of 12 this request form?</p> <p>13 A I do not know.</p> <p>14 Q Okay. And it's here -- because it's a copy, 15 it's in white. But as you look at this, is 16 there anything that would indicate to you what 17 color the -- the form was when you received it?</p> <p>18 A No, I would not know by this.</p> <p>19 Q Okay. Where -- first of all, is it just a 20 single copy, or are the medical request forms, 21 you know, duplicate or triplicate?</p> <p>22 A Duplicate.</p> <p>23 Q And so what color -- I think you said you didn't 24 recall which color the Huber facility was in 25 2016.</p> <p style="text-align: right;">168</p> <p>920-432-5662 BAY REPORTING SERVICE, INC. 800-424-2224 414 S. Jefferson St., Green Bay, WI</p>	<p>EMILY J. BLOZINSKI, LPN JULY 2, 2019</p> <p>1 A Yeah, I don't recall.</p> <p>2 Q What were the options?</p> <p>3 A The double -- or the duplicate, it's white and a 4 yellow, the carbon copy that we would send back 5 to the patients. I believe the color was blue 6 or a green-ish color for Huber.</p> <p>7 Q And it was the top copy that was the different 8 color, correct?</p> <p>9 A Yes.</p> <p>10 Q Where were the originals that HSU had? Where 11 were those kept?</p> <p>12 A After we answer them or --</p> <p>13 Q Yeah.</p> <p>14 A We would scan them in to their file.</p> <p>15 Q And would you keep the actual hard copy?</p> <p>16 A We would scan it in to their file and then we 17 shred it. We didn't keep a hard copy if it was 18 in their system -- in the system.</p> <p>19 Q When you scanned, did you use a color scanner?</p> <p>20 A No, I don't think it's colored. No.</p> <p>21 Q So if you scanned this into the system, you 22 would no longer be able to tell what color the 23 sheet was?</p> <p>24 A Correct.</p> <p>25 Q And tell me how -- once an inmate -- and let's</p> <p style="text-align: right;">169</p> <p>920-432-5662 BAY REPORTING SERVICE, INC. 800-424-2224 414 S. Jefferson St., Green Bay, WI</p>

- 1 **A I don't recall that.**
 2 Q So it was, you know, on an as -- as-you-could-do
 3 basis in terms of addressing the medical requests
 4 in 2016?
 5 **A From what I can remember, yes.**
 6 Q Were you ever trained on how to determine the
 7 level of urgency that a request might have?
 8 **A A documented training, no. Hands-on shift**
 9 **training, I would say yes.**
 10 Q When you say "shift training," what does that
 11 mean?
 12 **A I mean just working, being trained, hands-on.**
 13 Q So did you go over these medical request forms
 14 with other nurses while -- you know, while you
 15 were employed there?
 16 **A When I first started.**
 17 Q Okay. But from that point forward, each person
 18 would review some of these forms on their own,
 19 correct?
 20 **A Yes.**
 21 Q And you would make an independent judgment as to
 22 how to respond to it?
 23 **A Yes.**
 24 Q So do you recall what time on 10/29 -- well,
 25 strike that. Let me just back up for a second.

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- 1 This is a medical request form from
 2 Ruth Freiwald. It's dated 10/28/16, 5:00 p.m.
 3 Do you see that?
 4 **A Yes.**
 5 Q And she makes a request in the top portion,
 6 correct?
 7 **A Yes.**
 8 Q And then below where it says "For HSU staff
 9 only," is that your handwriting?
 10 **A Yes.**
 11 Q And the date appears to be 10/29/16, correct?
 12 **A Yes.**
 13 Q Do you know what time you responded to this?
 14 **A I do not know.**
 15 Q Is there any other record that would indicate
 16 what time you responded to this?
 17 **A No. We just put the date.**
 18 Q Okay. And Ms. Freiwald indicated that she had a
 19 migraine headache due to her blood pressure
 20 medication being stopped, and she says, "My
 21 anxiety due to my PTSD will get worse if
 22 this" -- "if that is withheld. I would like my
 23 blood pressure monitored."
 24 Do you see that?
 25 **A Yes.**

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- 1 Q So at the time that you reviewed this on 10/29,
 2 did you look at her file to determine how long
 3 it had been since she had received her
 4 medications?
 5 **A I can't say if I did.**
 6 Q Were you aware at the time that you filled this
 7 out that she had been prescribed five separate
 8 medications, and at the time that you were
 9 reviewing this none of them had been ordered?
 10 **A I put on there, "Meds to be reviewed with the**
 11 **M.D." I could have looked at her form, the**
 12 **veri -- Medication Verification Form.**
 13 Q What did you mean by "Meds to be reviewed with
 14 M.D."?
 15 **A The medications that she brought in. Or had**
 16 **dropped off. That those medications would be**
 17 **reviewed with the physician for orders.**
 18 Q And when would they be reviewed?
 19 **A When we called the physician. We don't put like**
 20 **a time on there or a date that they would be**
 21 **reviewed by the provider.**
 22 Q So basically what you're telling her with this
 23 notation is that they still haven't been reviewed
 24 by the doctor?
 25 **A Correct.**

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- 1 Q And you also wrote above that, "Next available
 2 appointment with HSU for BP V"?
 3 **A Check.**
 4 Q "BP check."
 5 **A Yeah.**
 6 Q So what was the next available appointment with
 7 HSU for BP check?
 8 **A We never put down a date or time, specifics. We**
 9 **weren't down there on a scheduled date or time.**
 10 Q So did you make an appointment for a blood
 11 pressure check for Ms. Freiwald on the 29th when
 12 you wrote this?
 13 **A I don't have it in her file that it was in her**
 14 **medical record.**
 15 Q If you had made a set appointment with her to
 16 take her blood pressure, would you have reflected
 17 that in the medical records?
 18 **A It would be like on a -- we kept it on a**
 19 **spreadsheet.**
 20 Q And that spreadsheet would be part of the medical
 21 records of the inmate?
 22 **A It wouldn't be in her medical record, no.**
 23 Q Where would it be?
 24 **A Like on the computer we use in HSU.**
 25 Q Is that the ERMA system?

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- 1 **A No. It would be just on a spreadsheet on --**
 2 **like in 2016, noted there.**
 3 Q And what would it indicate? What type of
 4 information?
 5 **A Just for a blood pressure check for the patient,**
 6 **for Ms. Freiwald.**
 7 Q And I had asked you before if you had produced
 8 documents related to this case to your
 9 attorneys, and I believe that you said yes.
 10 Correct?
 11 **A Yes.**
 12 Q Were you -- did you provide that spread --
 13 spreadsheet?
 14 **A No, I did not.**
 15 Q Does that spreadsheet still exist?
 16 **A I'd have to look.**
 17 Q So if somebody wanted to see what appointments
 18 were either scheduled in the future or had
 19 occurred in the past for an inmate, they'd have
 20 to go to this spreadsheet to make that
 21 determination?
 22 **A It would be -- yes. They would see it on that**
 23 **spreadsheet.**
 24 Q And who had access to this spreadsheet in 2016?
 25 **A HSU staff.**

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- 1 Q But as you sit here today, you don't believe
 2 that you made an appointment for Ms. Freiwald
 3 because she was in that Huber facility, correct?
 4 **A I'd have to review that. She is Huber, but**
 5 **because she was complaining of that, we could**
 6 **have checked it.**
 7 Q And you don't know when the next time that you
 8 went over to the Huber facility after 10/29/16
 9 was?
 10 **A No. We don't set dates, specific dates.**
 11 Q Did you take any other steps with respect to
 12 receiving this request in light of the fact that
 13 Ms. Freiwald indicated that she had anxiety and
 14 PTSD; it would get worse if her medications
 15 continued to be withheld?
 16 **A No, I did not.**
 17 Q Did you look in the -- in the book of -- the
 18 pharmacy book that you referred to earlier to
 19 determine what adverse effects might occur if a
 20 patient does not get their blood pressure
 21 medication for more than 24, 48, 36 hours?
 22 **A No. I knew her medications were to be reviewed**
 23 **with the provider.**
 24 Q Did you know what the adverse effects of
 25 withholding blood pressure medication might be

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- 1 at -- as of 10/29/16?
 2 MS. SCHNEIDER: Object to the form of
 3 the question.
 4 **A I didn't know off the top of my head, no.**
 5 Q Did you know what the adverse effects might be
 6 of not having medications for anxiety, PTSD; for
 7 example, Prozac or clonazepam?
 8 MS. SCHNEIDER: Object to the form of
 9 the question.
 10 MR. ROTH: Object to the form.
 11 **A No, not off the top of my head.**
 12 Q And did you check the pharmacy book to see what
 13 the potential adverse effects of an inmate or
 14 patient not having prescribed medications of the
 15 type that we just described, Prozac and
 16 clonazepam, was?
 17 MS. SCHNEIDER: Object.
 18 **A Not that I recall.**
 19 MS. SCHNEIDER: Object to the form of
 20 the question. Incomplete hypothetical.
 21 Q Did you do anything else with respect to
 22 responding to Ms. Freiwald's requests other than
 23 make the notation that you made on this
 24 Exhibit 27?
 25 **A Not that I recall.**

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- 1 Q Did you raise this issue to Nurse Jones, the
 2 fact that she had not been ordered her
 3 medications yet?
 4 **A Not that I recall.**
 5 Q Do you recall having any conversations with
 6 Dr. Fatoki or any other physician regarding
 7 Ms. Freiwald and her condition at this time?
 8 MR. ROTH: Object to form. You can
 9 answer.
 10 **A Not that I recall.**
 11 Q And did you ask any correctional staff to -- to
 12 take any steps to monitor Ms. Freiwald at this
 13 time?
 14 **A Not that I recall.**
 15 Q And did you ask any correctional staff to bring
 16 Ms. Freiwald to the main facility so that you
 17 could check her blood pressure or do a
 18 face-to-face examination?
 19 **A No. She was Huber. She was able to go out to**
 20 **seek medical attention if she needed or set up**
 21 **an appointment.**
 22 Q Did you indicate in your response to her health
 23 requests that she should undertake steps to get
 24 medical care from some other place?
 25 **A Not on this form, no.**

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<p>EMILY J. BLOZINSKI, LPN JULY 2, 2019</p> <p>1 Q On any form?</p> <p>2 A Not to my knowledge, no.</p> <p>3 Q At any time?</p> <p>4 A Not to my knowledge.</p> <p>5 Q And do you know if anybody informed Ms. Freiwald</p> <p>6 that she should take care of her medical needs</p> <p>7 on her own while she was incarcerated at Brown</p> <p>8 County Jail?</p> <p>9 A That would be under the jail for Huber patient --</p> <p>10 or Huber inmates.</p> <p>11 Q But my question was are you aware of whether</p> <p>12 anybody at the jail or as part of HSU informed</p> <p>13 Ms. Freiwald that she needed to take care of her</p> <p>14 own medical care?</p> <p>15 A Not that I'm aware.</p> <p>16 Q Let's take a look at what we'll mark as</p> <p>17 Blozinski Exhibit 28.</p> <p>18 (Exhibit 28 marked for identification.)</p> <p>19 MS. AUERBACH: For the record, this</p> <p>20 bears Bates Number Brown County Sheriff</p> <p>21 Department 39.</p> <p>22 Q Do you recognize this document?</p> <p>23 A Yes. It's an Inmate Request Medical Care form</p> <p>24 by Ruth Freiwald.</p> <p>25 Q So this is the second request that you are aware</p> <p style="text-align: right;">182</p> <p>920-432-5662 BAY REPORTING SERVICE, INC. 800-424-2224 414 S. Jefferson St., Green Bay, WI</p>	<p>EMILY J. BLOZINSKI, LPN JULY 2, 2019</p> <p>1 of that Ms. Freiwald filled out, correct?</p> <p>2 A Yes.</p> <p>3 Q And it's dated 10/30/16, 5:00 p.m. Correct?</p> <p>4 A Yes.</p> <p>5 Q Do you know if there's any special significance</p> <p>6 to the fact that both of her requests were made</p> <p>7 at 5:00 p.m.?</p> <p>8 A No.</p> <p>9 Q Okay.</p> <p>10 A Till you just pointed it out, no.</p> <p>11 Q Okay. I wasn't sure if perhaps you were aware</p> <p>12 of whether inmates, you know, were given the</p> <p>13 forms at a certain time or anything like that.</p> <p>14 A Not that I'm aware.</p> <p>15 Q Okay. So this is two days after the initial</p> <p>16 request made by Ms. Freiwald that you reviewed,</p> <p>17 correct?</p> <p>18 A Yes.</p> <p>19 Q And here she indicates, "I've been here since</p> <p>20 Thursday evening. My son brought my medication</p> <p>21 into the main jail on Friday morning. Please, I</p> <p>22 need my medication. My blood pressure is so</p> <p>23 high I have a migraine headache and am having a</p> <p>24 hard time thinking straight. I have four exams</p> <p>25 at school this week. I have to be able to think</p> <p style="text-align: right;">183</p> <p>920-432-5662 BAY REPORTING SERVICE, INC. 800-424-2224 414 S. Jefferson St., Green Bay, WI</p>
<p>EMILY J. BLOZINSKI, LPN JULY 2, 2019</p> <p>1 clearly. I was ordered by the judge to take my</p> <p>2 medication as ordered. Please provide me with</p> <p>3 my medication that I gave to your workers.</p> <p>4 Please help. Thank you."</p> <p>5 Is that your handwriting in the box below</p> <p>6 her request?</p> <p>7 A Yes, it is.</p> <p>8 Q And you filled this out on 10/31/16, correct?</p> <p>9 A Correct.</p> <p>10 Q Do you know what time you filled this out?</p> <p>11 A I don't.</p> <p>12 Q And there's no record that you're aware of that</p> <p>13 would indicate what time, correct?</p> <p>14 A Not that I'm aware of.</p> <p>15 Q So Ms. Freiwald indicated that she still had not</p> <p>16 received any medication as of 10/30. So as of</p> <p>17 this time, did you know how many days had</p> <p>18 elapsed since Ms. Freiwald had received any of</p> <p>19 her medications?</p> <p>20 A I knew the medication I processed on the 30th.</p> <p>21 And if the form -- that form said the 28th that</p> <p>22 it was brought in.</p> <p>23 Q So --</p> <p>24 A And her saying Thursday evening.</p> <p>25 Q Right. So by this point, 10/31, you know that</p> <p style="text-align: right;">184</p> <p>920-432-5662 BAY REPORTING SERVICE, INC. 800-424-2224 414 S. Jefferson St., Green Bay, WI</p>	<p>EMILY J. BLOZINSKI, LPN JULY 2, 2019</p> <p>1 she has gone for multiple days without any</p> <p>2 medication, correct?</p> <p>3 MS. SCHNEIDER: Object to the form of</p> <p>4 the question.</p> <p>5 A Correct.</p> <p>6 Q And she indicates that she still has a migraine,</p> <p>7 correct?</p> <p>8 A Yes, she states that.</p> <p>9 Q And in your training is a migraine different</p> <p>10 than just a regular headache?</p> <p>11 MR. ROTH: Well, I'm going to object</p> <p>12 to the form. Assumes facts. You can answer if</p> <p>13 you can.</p> <p>14 MS. SCHNEIDER: Join.</p> <p>15 A It could be different, yes.</p> <p>16 Q After the first request, did you prescribe any</p> <p>17 Tylenol or anything else to help alleviate</p> <p>18 Ms. Freiwald's stated migraine?</p> <p>19 A No, I did not.</p> <p>20 Q Okay. And here she indicates again that her</p> <p>21 blood pressure is -- she says, quote, unquote,</p> <p>22 "so high." Did you order a blood pressure check</p> <p>23 at this point for Ms. Freiwald?</p> <p>24 A No, I did not.</p> <p>25 Q And she also indicated that she's having a hard</p> <p style="text-align: right;">185</p> <p>920-432-5662 BAY REPORTING SERVICE, INC. 800-424-2224 414 S. Jefferson St., Green Bay, WI</p>

1 time thinking straight, correct?

2 **A Yes, she states that.**

3 Q And given your understanding from the booking

4 report that she suffers from anxiety and

5 depression, did her indication that she's not

6 thinking straight suggest to you that she could

7 be having symptoms of withdrawal from medication?

8 MR. ROTH: Show my objection.

9 Foundation, speculation, beyond the scope of

10 this witness's license. You can answer if you

11 can.

12 MS. SCHNEIDER: Join.

13 **A I would have to review the medications.**

14 Q Well, one of the things on your resumé, I

15 thought, was a bullet point that indicated that

16 you worked with inmates specifically with respect

17 to withdrawal from medications and alcohol,

18 correct?

19 **A Yes.**

20 Q And so based on your experience, did the fact

21 that Ms. Freiwald's indicating that she was

22 having a hard time thinking straight suggest to

23 you that she might be having withdrawal symptoms

24 because of the cessation of her medications?

25 MR. ROTH: Same objections.

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1 MS. SCHNEIDER: Join.

2 **A Could be from medication, could be from the**

3 **environment.**

4 Q What steps did you take to -- to inquire what

5 the reason was for why she could no longer think

6 straight?

7 MR. ROTH: Object to form.

8 MS. SCHNEIDER: Join.

9 **A I answered the form, and the medications were**

10 **sent down after I processed them. That's**

11 **what -- the action I took, the medications were**

12 **sent down for the patient.**

13 Q So you say medication sent down to WRC. That's

14 the Work Release Center, correct?

15 **A Correct.**

16 Q Is that the same as Huber --

17 **A Yes.**

18 Q -- facility? And when had the medications been

19 sent down?

20 **A I don't know the transportation time. I don't**

21 **know.**

22 Q So as of 10/31/16 when you filled this out, had

23 you already sent the medications down, or was

24 that something you were doing in conjunction

25 with responding to this?

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1 **A I ordered -- or I processed the order --**

2 **completed the orders on 10/30. So they would**

3 **have been packaged then at that time when I did**

4 **the orders on 10/30.**

5 Q And so you were indicating that all the steps

6 that you needed to take had already been done by

7 the time that you responded to this, correct?

8 **A Correct.**

9 Q But certainly by reviewing this and seeing that

10 as of 5:00 p.m. she still had indicated that she

11 hadn't received any medications, you were aware

12 that even if you had sent them down on 10/30, she

13 had not yet received them by 5:00 p.m., right?

14 **A That's what she's stating, yes.**

15 Q So did you take any steps to make sure that --

16 that the medications were actually delivered to

17 her?

18 **A I don't recall.**

19 Q Okay. You also noted, "HSU does not have

20 judge's order at this time." Do you see that?

21 **A Yes, I do.**

22 Q What steps did you take to try to obtain the

23 judge's order?

24 MR. ROTH: Object to form. You can

25 answer.

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1 **A I didn't -- I don't obtain judge's orders.**

2 Q In general, you don't?

3 **A Correct.**

4 Q Right. But if it -- if -- would you agree that

5 if a court orders an inmate to continue

6 medication, that is something important for HSU

7 staff to know, to take into consideration?

8 MR. ROTH: I'm going to object,

9 improper and incomplete hypothetical, lacks

10 foundation. You can answer.

11 MS. SCHNEIDER: Object to the form.

12 MR. McGAVER: I'll join both

13 objections.

14 **A I do not have the form in HSU, I don't contact**

15 **for the form; medications are reviewed by our**

16 **Brown County provider.**

17 Q I understand that. My question was slightly

18 different.

19 If a judge was ordering an inmate to take

20 medication, is that something that you as an HSU

21 staff member would want to know?

22 MR. ROTH: Same objections. Go ahead.

23 MS. SCHNEIDER: Object to the form.

24 It assumes facts not in evidence.

25 MR. McGAVER: Join both.

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<p>EMILY J. BLOZINSKI, LPN JULY 2, 2019</p> <p>1 A I wouldn't know that unless I receive the order. 2 I would have no idea. 3 Q And again, I don't mean to -- to seemingly 4 repeat my question, but I am going to try to 5 rephrase my question because I don't think that 6 you -- you are understanding the part that I'm 7 trying to get at. 8 I know that typically you did not receive 9 judge's orders, and in this case you indicated 10 that you didn't have the judge's order. My 11 question is, if a judge ordered an inmate to 12 continue to take prescription medications, is 13 that information that you as an HSU staff member 14 would want to know? 15 MR. ROTH: Same objections as before. 16 MS. SCHNEIDER: Object to the form. 17 MR. MCGAVER: Join both. 18 A I go by what the provider of our facility orders. 19 The form I did not have. 20 Q So -- 21 A She's in the custody of the Brown County Jail. 22 I did not have that form. 23 Q So what steps did you take to obtain the form 24 after you learned from Ms. Freiwald that the 25 judge ordered her to take her medication?</p> <p style="text-align: right;">190</p> <p>920-432-5662 BAY REPORTING SERVICE, INC. 800-424-2224 414 S. Jefferson St., Green Bay, WI</p>	<p>EMILY J. BLOZINSKI, LPN JULY 2, 2019</p> <p>1 MR. ROTH: Objection to the form, 2 assumes facts not in evidence, improper, 3 incomplete hypothetical. 4 MS. SCHNEIDER: Join. 5 Q Did you take any steps to obtain the court order 6 after you received this medical request form 7 indicating there was such an order? 8 A No, I did not. 9 Q Did you ask anybody at HSU staff to do so? 10 A Not that I recall. 11 Q Did you ask anybody at the correctional facility 12 to try to locate the judge's order to confirm 13 whether in fact Ms. Freiwald had been ordered to 14 continue to take her medication? 15 A Not that I recall. 16 Q Did you raise this issue to Nurse Jones? 17 A Not that I recall. 18 Q Did you raise the issue to Dr. Fatoki? 19 A Not that I recall. 20 Q As of 10/31/16 when you wrote this response to 21 Ms. Freiwald, you were aware that two of her 22 five medications that had been prescribed were 23 not approved by Dr. Fatoki, correct? 24 MR. ROTH: Show my objection, form, 25 incomplete and improper hypothetical, misstates</p> <p style="text-align: right;">191</p> <p>920-432-5662 BAY REPORTING SERVICE, INC. 800-424-2224 414 S. Jefferson St., Green Bay, WI</p>
<p>EMILY J. BLOZINSKI, LPN JULY 2, 2019</p> <p>1 the record, misstates testimony. 2 MS. SCHNEIDER: Join. 3 MR. MCGAVER: Join. 4 MR. ROTH: You can answer. 5 A Yes, I would have completed the orders, processed 6 the orders that the doctor approved to continue. 7 Q And so as of the time of responding to this, you 8 knew based on Exhibit 26 -- do you still have 9 that in front of you? 10 A Yes. 11 Q Okay. So as of 10/31/16 when you responded to 12 Ms. Freiwald's second request for medical 13 assistance, you knew that clonazepam and 14 gabapentin had not been approved by Dr. Fatoki, 15 correct? 16 A Correct. 17 Q And you didn't do anything to inform anybody at 18 CCS or Brown County Jail that the judge had 19 ordered Ms. Freiwald to take medication, and yet 20 two medications were not approved? 21 MR. ROTH: Well, show my objection. 22 This has been asked and answered several times. 23 It's an improper, incomplete hypothetical, it 24 assumes facts not in evidence, and is improper 25 form. But you can answer if you can.</p> <p style="text-align: right;">192</p> <p>920-432-5662 BAY REPORTING SERVICE, INC. 800-424-2224 414 S. Jefferson St., Green Bay, WI</p>	<p>EMILY J. BLOZINSKI, LPN JULY 2, 2019</p> <p>1 MS. SCHNEIDER: Join in those 2 objections. 3 A I do not recall. 4 Q But as you sit here today, you don't recall 5 doing anything else with respect to the medical 6 form other than signing the portion that you 7 signed? 8 MR. ROTH: Well, I'm going to object. 9 That misstates her testimony. Go ahead. 10 A This form? 11 Q The second form. Exhibit 28. Other than filling 12 this out and returning it to Ms. Freiwald, did 13 you take any other steps -- 14 A No. I -- 15 Q -- with respect to this request? 16 A No. I answered it. 17 Q Okay. What is the process for getting the 18 medical request responses back to inmates who 19 are housed at the Huber facility? So when we 20 talked about how HSU gets it, they get the form 21 by medical transport -- I'm sorry -- by Lock and 22 Load transport, correct? 23 A Yes. 24 Q Okay. So when you respond to a medical request, 25 where does it go from there?</p> <p style="text-align: right;">193</p> <p>920-432-5662 BAY REPORTING SERVICE, INC. 800-424-2224 414 S. Jefferson St., Green Bay, WI</p>

1 could you just repeat that question?
 2 MR. ROTH: Sure. Let me back up.
 3 MS. AUERBACH: Okay.
 4 Q So on Exhibit 27 you respond to the sick call
 5 request, right?
 6 A Yes.
 7 Q And you write "Meds to be" -- "Meds to be
 8 reviewed by the M.D." Correct?
 9 A Yes.
 10 Q So it stands to reason, looking at 26, that this
 11 document hadn't been filled out completely yet
 12 at that point?
 13 MS. AUERBACH: Object to the form,
 14 calls for speculation.
 15 A Correct. I put on there reviewed -- "Meds to be
 16 reviewed with the M.D."
 17 Q And then you took this order out on 10/30; is
 18 that right?
 19 A Yes.
 20 Q And we know that Ms. Freiwald did get her
 21 medication on -- by the MAR on Exhibit 29 on
 22 10/31?
 23 A Correct.
 24 Q And that's the medication that was ordered by
 25 Dr. Fatoki; is that right?

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1 A Yes.
 2 Q Did you ever see any other sick call request
 3 from Ms. Freiwald? Well, strike that.
 4 We -- we have the two exhibits, 27 and 28,
 5 correct?
 6 A Yes.
 7 Q So she filled those out on 10/28 and 10/30; is
 8 that right?
 9 A Correct.
 10 Q Do you know if she filled out any other sick
 11 call requests after 10/30?
 12 A I did not receive any other ones.
 13 Q And you reviewed the chart in this matter,
 14 correct?
 15 A Yes.
 16 Q And you didn't see any other sick call requests?
 17 A I did not.
 18 Q And you're not aware of her filing any
 19 grievances in this case, are you?
 20 A I am not aware of that.
 21 Q You had no knowledge at the time that you
 22 responded to either of these sick call requests
 23 that Ms. Freiwald had a previous suicide
 24 attempt, did you?
 25 A I did not, no.

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1 Q In -- have you heard of when assessing somebody
 2 for suicidal ideation, the phrase "thought,
 3 plan, and intent"?
 4 MS. AUERBACH: Object to the form.
 5 A In 2016?
 6 Q Sure.
 7 A Yes.
 8 Q In either of these sick call requests filled out
 9 by Ms. Freiwald, there's no evidence of any
 10 suicidal thoughts in the -- in there, is there?
 11 A I --
 12 MS. AUERBACH: Objection. Calls for
 13 speculation, foundation.
 14 A I did not read any.
 15 Q Okay. And I mean these questions from your
 16 perspective as an LPN at the -- in the
 17 correctional setting, okay? You don't see any
 18 evidence of a suicidal thought in that -- either
 19 one of those paragraphs, is that true, on
 20 Exhibits 27 and 28?
 21 A Correct.
 22 Q You don't see any evidence of a suicidal plan in
 23 either one of those, correct?
 24 A I do not.
 25 Q You don't see any evidence of suicidal intent in

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1 either one of those, correct?
 2 A I do not.
 3 Q You had no knowledge at any point before
 4 Ms. Freiwald passed away that she was in any way
 5 suicidal; is that fairly stated?
 6 A I did not, no.
 7 MR. ROTH: Just give me one second.
 8 Q There are professionals within the Health
 9 Service Unit that specialize in mental health;
 10 is that right?
 11 A Correct.
 12 Q Okay. You've never been in the mental health
 13 unit; is that right?
 14 A I'm not a mental health specialist, no,
 15 professional, no.
 16 Q As an LPN, you don't diagnose psychiatric
 17 conditions; is that right?
 18 A No, I do not.
 19 Q You don't diagnose posttraumatic stress disorder,
 20 correct?
 21 A No, I did not.
 22 Q You don't diagnose depression or anxiety; is
 23 that right?
 24 A No, I do not.
 25 Q Okay. If I use the term "standard of care," I

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